

# Exhibit A

**\*\* § 362 INFORMATION SHEET \*\***

Steve Herbert Hofsaess  
DEBTOR

08-23761-bam  
Case No:

MOTION #:

PHH Mortgage Corporation  
MOVANT

CHAPTER: 11

**Certification of Attempt to Resolve the Matter Without Court Action:**

Moving counsel hereby certifies that pursuant to the requirements of LR 4001(a)(3), an attempt has been made to resolve the matter without court action, but movant has been unable to do so.

Date: March 30, 2009

Signature: /s/ Cindy Lee Stock  
Attorney for Movant

PROPERTY INVOLVED IN THIS MOTION: 5824 Amber Station, Las Vegas, NV 89131

NOTICE SERVED ON: Debtor X; Debtor's Counsel X; Trustee X;

DATE OF SERVICE: March 30, 2009

**MOVING PARTY'S CONTENTIONS:**

The EXTENT and PRIORITY of LIENS:

1st \$286,000.00

2nd \$168,276.01

3rd \_\_\_\_\_

4th \_\_\_\_\_

Other: Cost of Sale \$21,200.00

Total Encumbrances: \$475,476.01

APPRAISAL of OPINION as to VALUE:

\$265,000.00 per Debtor's Schedules

**DEBTOR'S CONTENTIONS:**

The EXTENT and PRIORITY of LIENS:

1st \_\_\_\_\_

2nd \_\_\_\_\_

3rd \_\_\_\_\_

4th \_\_\_\_\_

Other: \_\_\_\_\_

Total Encumbrances: \_\_\_\_\_

APPRAISAL of OPINION as to VALUE:

**TERMS of MOVANT'S CONTRACT  
with the DEBTOR**

Amount of Note: \$163,384.00

Interest Rate: 4.500%

Duration: 30 years

Payment per Month: \$344.66

Date of Default: August 15, 2008

Amount in Arrears: \$1,718.17

Date of Notice of Default: N/A

SPECIAL CIRCUMSTANCES:

SUBMITTED BY: Cindy Lee Stock

SIGNATURE: /s/ Cindy Lee Stock

**DEBTOR'S OFFER of "ADEQUATE  
PROTECTION" for MOVANT:**

SPECIAL CIRCUMSTANCES:

SUBMITTED BY: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Exhibit 1

BGA (Official Form 6A) (12/07)

In re Steve Herbert HofsaessCase No. 08-23761

Debtor

**SCHEDULE A - REAL PROPERTY - AMENDED**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
5824 Amber Station Las Vegas, Nevada		-	265,000.00	451,000.00
230 East Flamingo Road Las Vegas, Nevada		-	179,000.00	508,000.00
3808 Fairway Circle Las Vegas, Nevada		-	245,000.00	501,000.00
8906 Houston Ridge Las Vegas, Nevada		-	185,000.00	360,000.00
6159 Villa De Picasso Las Vegas, Nevada		-	345,000.00	579,000.00
5952 Vizzi Court Las Vegas, Nevada		-	349,000.00	673,000.00
11855 Portland Circle Las Vegas, Nevada		-	225,000.00	294,000.00
6165 Smarty Jones Las Vegas, Nevada		-	340,000.00	567,000.00
6175 Smarty Jones Las Vegas, Nevada		-	340,000.00	576,000.00

Sub-Total > **2,473,000.00** (Total of this page)Total > **2,473,000.00**

(Report also on Summary of Schedules)

0 continuation sheets attached to the Schedule of Real Property

Debtor

B6D (Official Form 6D) (12/07) - Cont.

In re Steve Herbert HofsaessCase No. 08-23761

Debtor

# **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS - AMENDED** (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E D E B I T O R	H U S B A N D , W I F E , J O I N T , O R C O M M U N I T Y	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. 6674989868			2008					
Bank of America Post Office Box 60456 Los Angeles, CA 90060-0756			1st Mortgage  8906 Houston Ridge Las Vegas, Nevada					
			Value \$ 185,000.00				260,000.00	75,000.00
Account No. 681810036283999			2004					
Bank of America PO Box 30750 Los Angeles, CA 90030-0759			2nd Mortgage  8906 Houston Ridge Las Vegas, Nevada					
			Value \$ 185,000.00				100,000.00	100,000.00
Account No. 362115156			2006					
Bank of the West Post Office Box 4002 Concord, CA 94524-4002			RV loan  2006 RV Toy Hauler					
			Value \$ 10,000.00				25,000.00	15,000.00
Account No. 1026564718			2006					
Chrysler Financial Post Office Box 9001921 Louisville, KY 40290-1921			Car loan  2006 Dodge Ram					
			Value \$ 11,000.00				22,000.00	11,000.00
Account No. 104695636			2005					
Countrywide Bank Post Office Box 650225 Dallas, TX 75265-0225			2nd Mortgage  230 East Flamingo Road Las Vegas, Nevada					
			Value \$ 179,000.00				148,000.00	148,000.00
Subtotal							555,000.00	349,000.00
(Total of this page)								

Sheet 1 of 3 continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

Exhibit 2

B6D (Official Form 6D) (12/07) - Cont.

In re Steve Herbert HofsaessCase No. 08-23761

Debtor

# **SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS - AMENDED** (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E D E B I T O R	H U S B A N D , W I F E , J O I N T , O R C O M M U N I T Y	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
		DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN					
Account No. 142961861		2005					
Countrywide Home Loans Post Office Box 650070 Dallas, TX 75265-0070		1st Mortgage  5952 Vizzi Court - Las Vegas, Nevada					
		Value \$ 349,000.00				528,000.00	179,000.00
Account No. 107828529		2006					
Countrywide Home Loans Post Office Box 650070 Dallas, TX 75265-0070		1st Mortgage  6175 Smarty Jones - Las Vegas, Nevada					
		Value \$ 340,000.00				485,000.00	145,000.00
Account No. 107828617		2006					
Countrywide Home Loans Post Office Box 650225 Dallas, TX 75265-0225		2nd Mortgage  6175 Smarty Jones - Las Vegas, Nevada					
		Value \$ 340,000.00				91,000.00	91,000.00
Account No. 107022721		2005					
Countrywide Loans Post Office Box 650070 Dallas, TX 75265-0070		1st Mortgage  6159 Villa De Picasso - Las Vegas, Nevada					
		Value \$ 345,000.00				499,000.00	154,000.00
Account No. 4458370397104890		2005					
First Horizon Box 2351 Memphis, TN 38101-2351		2nd Mortgage  5952 Vizzi Court - Las Vegas, Nevada					
		Value \$ 349,000.00				145,000.00	145,000.00
Subtotal (Total of this page)						1,748,000.00	714,000.00

Sheet 2 of 3 continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

B6D (Official Form 6D) (12/07) - Cont.

In re Steve Herbert HofsaessCase No. 08-23761

Debtor

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS - AMENDED**  
(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E D E B I T O R	H U S B A N D , W I F E , J O I N T , O R C O M M U N I T Y	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. 8716005957			2005					
GMAC Mortgage PO Box 4622 Waterloo, IA 50704-4622			2nd Mortgage  6165 Smarty Jones Las Vegas, Nevada				90,000.00	90,000.00
			Value \$ 340,000.00					
Account No. 3001422959			2005					
IndyMac Federal Bank Post Office Box 78826 Phoenix, AZ 85062-8826			1st Mortgage  6165 Smarty Jones Las Vegas, Nevada				477,000.00	137,000.00
			Value \$ 340,000.00					
Account No. 7101160963			2006					
Merrill Lynch Home Equity Service Center Dept. 2850 Los Angeles, CA 90084-2850			Home Equity  5824 Amber Station Las Vegas, Nevada				165,000.00	165,000.00
			Value \$ 265,000.00					
Account No. 7101721558			2007					
Merrill Lynch Home Equity Service Center Dept. 2850 Los Angeles, CA 90084-2850			Home Equity  6159 Villa De Picasso Las Vegas, Nevada				80,000.00	80,000.00
			Value \$ 345,000.00					
Account No. 3010839797			2006					
Washington Mutual Post Office Box 78148 Phoenix, AZ 85062-8148			1st Mortgage  11855 Portland Circle Las Vegas, Nevada				294,000.00	69,000.00
			Value \$ 225,000.00					
Subtotal (Total of this page)							1,106,000.00	541,000.00
Total (Report on Summary of Schedules)							4,556,000.00	2,062,000.00

Sheet 3 of 3 continuation sheets attached to  
Schedule of Creditors Holding Secured Claims

B6 Declaration (Official Form 6 - Declaration). (12/07)

**United States Bankruptcy Court  
District of Nevada**

In re Steve Herbert Hofsaess

Debtor(s)

Case No. 08-23761

Chapter 11

**DECLARATION CONCERNING DEBTOR'S SCHEDULES - AMENDED**

**DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR**

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 19 sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date February 19, 2009

Signature /s/ Steve Herbert Hofsaess

Steve Herbert Hofsaess

Debtor

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

Record and Return to:  
Mortgage Services  
3000 Leadenhall Road, P.O. Box 5449  
Mt. Laurel, NJ 08054  
Loan #: 7101160963  
Name: HOFSAESS  
State of: NV  
County of: CLARK  
1-877-766-8244

Prepared by: Calendr

**Assignment of Deed of Trust / Mortgage**

Know all men by these presents that Merrill Lynch Credit Corporation, 4802 Deer Lake Drive East, Jacksonville, FL 32246-6484, a corporation existing under the laws of the state of Delaware, for valuable consideration, the receipt of which hereby acknowledged, does hereby grant, bargain, sell, assign and transfer to:

That certain Promissory Note and Deed of Trust / Mortgage described as follows:

Note and Deed of Trust / Mortgage Dated: 11/03/2005 Amount: \$163384

Executed by: STEVE HOFSAESS

Recorded Date:

Clerks file or instrument no:

Book/Volume:

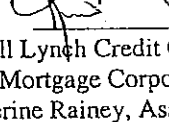
Page:

Address: 5824 Amber Station, LAS VEGAS, NV 89131

Describing land therein as described in Deed of Trust / Mortgage referred to herein.

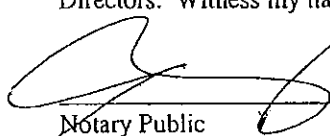
Together with the Note therein or referred to, the money due and to become due thereon with interest and all rights accrued or to accrue under said Deed of Trust / Mortgage.

Dated: 11/09/2005  
Merrill Lynch Credit Corporation  
4802 Deer Lake Drive East  
Jacksonville, FL 32246-6484

By:   
Merrill Lynch Credit Corporation, by  
PHH Mortgage Corporation, Authorized Agent  
Katherine Rainey, Assistant Vice-President

State of New Jersey, County of Burlington,

On 11/09/2005, before me, the undersigned, a notary public in and for said State and County, personally appeared Katherine Rainey personally known to me or proved to me on the basis of satisfactory evidence to be Assistant Vice-President of the corporation that executed the within instrument, on behalf of the corporation therein named, and acknowledged to me that such corporation executed the instrument pursuant to the its by-laws or resolution of its Board of Directors. Witness my hand and official seal in the State and County last aforesaid.

  
Notary Public

Rita Calendo  
Notary Public of New Jersey  
My Commission Expires: 11/30/2008

RITA A CALENDO  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires November 30, 2008

Exhibit 3

**EXHIBIT "3"**

1  
2           1.       The total indebtedness due and owing under the Note and Deed of Trust as of the date  
3 set forth below, exclusive of attorney fees, other miscellaneous costs and interest that continues to  
4 accrue is as follows:

5           Principal Balance	\$	163,381.06
6           Interest as of March 2009	\$	4,406.32
7           Late Charges	\$	73.88
8           Total Fees	\$	199.75
9           Recoverable Balance	\$	215.00
10 <b>TOTAL</b>	\$	168,276.01

11 Attorney fees and cost plus other miscellaneous costs, if any, must be added to this figure.

12           2.       An additional payment of \$344.66 will come due on the fifteenth day of April and the  
13 first day of each month thereafter. If payment is not received by the first of the month a late charge  
14 of \$24.73 will be charged to the loan.

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